

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

LEONARD K. BAYLIS,)	
)	
Plaintiff,)	
v.)	C. A. No. 06-11-SLR
STANLEY TAYLOR, et al.,)	
)	
Defendants.)	

**STATE DEFENDANTS' RESPONSE TO
PLAINTIFF'S MOTION FOR INJUNCTIVE RELIEF**

Defendants Stanley Taylor and Thomas Carroll ("State Defendants") respond to Plaintiff Leonard Baylis' Motion for Injunctive Relief [D.I. 34] as follows:

1. Plaintiff Leonard Baylis ("Plaintiff") is an inmate within the custody of the Delaware Department of Correction ("DOC") incarcerated at the Delaware Correctional Center ("DCC") in Smyrna, Delaware.
2. Plaintiff claims that he has been threatened with bodily harm by his cell-mate at DCC. [D.I. 34]. Plaintiff has, in effect, asked the Court to order that Defendants transfer him from his current housing area to the Mental Health Unit at DCC. *Id.*
3. As set forth in the Affidavit of Senior Correctional Counselor Todd Kramer, attached hereto as Exhibit A, on June 6, 2006, at Plaintiff's request, Plaintiff was moved from his housing unit to Protective Custody. *See* Exhibit A.
4. Plaintiff requested that he be transferred from Protective Custody to DCC's Mental Health Unit. Upon review and approval of the Multi-Disciplinary Team, Plaintiff was transferred to the Mental Health Unit on June 12, 2006. *Id.*
5. State Defendants do not agree or concede that Plaintiff was threatened by his cell-mate or by anyone else.

6. Because Plaintiff has been transferred to the Mental Health Unit, as he requested in his Motion for Injunctive Relief, his Motion is moot and should be denied.

WHEREFORE, Defendants Stanley Taylor and Thomas Carroll respectfully request that this Court deny Plaintiff's Motion for Injunctive Relief.

STATE OF DELAWARE
DEPARTMENT OF JUSTICE

/s/ Eileen Kelly
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Dated: June 15, 2006

CERTIFICATE OF SERVICE

I hereby certify that on June 15, 2006, I electronically filed *State Defendants' Response to Plaintiff's Motion for Injunctive Relief* with the Clerk of Court using CM/ECF which will send notification of such filing to the following: Kevin J. Connors, Esquire. I hereby certify that on June 15, 2006, I have mailed by United States Postal Service, the document to the following non-registered party: Leonard Baylis.

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